

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

John Meiners, on behalf of a class of all
persons similarly situated, and on behalf of
the Wells Fargo & Company 401(k) Plan,

Case No. 16-cv-03981 (DSD/FLN)

Plaintiffs,

v.

**DEFENDANTS' MOTION TO DISMISS
THE COMPLAINT FOR FAILURE TO
STATE A CLAIM**

Wells Fargo & Company; Human Resources
Committee of the Wells Fargo Board of
Directors; Wells Fargo Employee Benefits
Review Committee; Hope Hardison; Justin
Thornton; Howard Atkins; Patricia Callahan;
Michael Heid; Timothy Sloan; John Stumpf;
Lloyd Dean; John Chen; Susan Engel;
Donald James; and Stephen Sanger,

Defendants.

Defendants Wells Fargo & Company; Human Resources Committee of the Wells
Fargo Board of Directors; Wells Fargo Employee Benefits Review Committee; Hope
Hardison; Justin Thornton; Patricia Callahan; Michael Heid; Timothy Sloan; Lloyd Dean;
John Chen; Susan Engel; Donald James; and Stephen Sanger hereby respectfully move the
Court for an Order dismissing the Class Action Complaint with prejudice in its entirety for
failure to state a claim, pursuant to Federal Rules of Civil Procedure Rule 12(b)(6). This
motion is based upon all the files and records herein, including the parties' memorandum of
law and all exhibits and affidavits thereto, which will be submitted in compliance with the
Federal Rules of Civil Procedure and the rules of this Court, as well as the arguments of
counsel.

In light of Plaintiff's Unopposed Motion for Dismissal of Defendants John Stumpf and Howard Atkins, dated February 27, 2017, no motion to dismiss is made at this time on behalf of John Stumpf and Howard Atkins.

Dated: February 27, 2017

DORSEY & WHITNEY LLP

By s/ Andrew Holly
Stephen P. Lucke (#154210)
lucke.steve@dorsey.com
Andrew Holly (#308171)
holly.andrew@dorsey.com
Kirsten E. Schubert (#03883961)
schubert.kirsten@dorsey.com
Nicholas J. Bullard (#0397400)
bullard.nick@dorsey.com
50 South Sixth Street, Suite 1500
Minneapolis, MN 55402-1498
Telephone: (612) 340-2600

Attorneys for Defendants